IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1018 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL Sd/-

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JAGDIP V PANDYA,LEGAL ASSTT

Versus

JIVAN PRODUCTS

Appearance:

MS.ARCHANA AMIN for MR YOGESH S LAKHANI for Petitioner

MR CL SONI for Respondent No. 1

MR LR POOJARI,APP. for Respondent No. 2

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 07/04/2000

ORAL JUDGEMENT

The learned Counsel for respondent no.1 tenders affidavit-in-reply. It is stated in para 2 of the

affidavit-in-reply that the industry run by the respondent no.1 has already been closed since 31.12.1993. The learned Counsel for the respondent no.1 also produces copy of the certificate dated 29.1.1996 issued by the Factory Inspector, Vadodara, stating that the registration of the factory in question was cancelled in 1994. Ms.Archana Amin on behalf of the petitioner also states that the factory has been closed since 1993. In the circumstances, I do not consider it necessary to go into the question as to whether the Addl.Sessions Judge, Vadodara was right in vacating the order of injunction made by the learned Magistrate on the complaint filed by the petitioner since, it is clear that the question of injunction does not survive in view of the fact that the factory has now been closed permanently. The petition is therefore, disposed of. Rule discharged.

---

m.m.bhatt